

the lands adjacent. Should, however, no funds be available by the State, an issue of bonds, which the State could easily dispose of, even at the low rate of 4 per cent or, perhaps, less might be had.

The wet year of 1908 has shown the necessity of protecting the low lands, while the following three dry years have demonstrated the need of irrigation. Both these objects can be attained by proper efforts, first in building levees and second in using the excavations in constructing reservoirs, in which to store the surplus water, to be used for irrigating purposes when properly constructed. While all work should be under the direction of the State Board, the details thereof should be planned and construction work under the supervision of the respective county engineers of the various districts.

The levees should be so constructed as to serve for highways; and, as the public sentiment is largely in favor of abrogating the lease system of the State convicts, such labor should be performed by them, under proper safeguards to the citizenship; in fact, all public work should be done by convicts, thus cutting out competition with free labor, both in and outside the penitentiary.

By Senator Weinert:

Letter numerously signed asking favorable action on Senate bills Nos. 435, 438 and 439.

FORTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
Monday, March 17, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

64—S

Absent.

Gibson.

Morrow.

Absent—Excused.

Greer.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Terrell.

(See Appendix for petitions and memorials and standing committee reports.)

BILLS AND RESOLUTIONS.

By Senator Cowell:

Senate bill No. 462, A bill to be entitled "An Act to amend Sections 4 and 5 of Article 4, of Chapter 33, Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith,' so as to provide for the issuance of bonds not to run for a period longer than forty years and not to exceed 10 per cent of the assessed value of all taxable property, real, personal and mixed in the city of Denison, Texas, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

Senate bill No. 463, A bill to be entitled "An Act to provide for the regulation and supervision of life insurance agents lapsing and twisting life insurance policies in the State of Texas."

Read first time and referred to Committee on Insurance, Statistics and History.

SIMPLE RESOLUTION.

By Senator Westbrook:

Resolved, That Judiciary Committee No. 2, be requested to report on Senate bill No. 193.

Signed—Westbrook, Taylor, Collins, Darwin, McNealus, Warren, Townsend, Cowell, Nugent, Wiley.

The resolution was read and adopted.

ADDITION TO STANDING COMMITTEE.

By Senator Watson:

I move that the Senator from El

Paso be added to the Committee on Insurance, Statistics and History.

The motion was read and adopted.

SIMPLE RESOLUTION.

By Senator Townsend:

I move that Senate bills Nos. 290 and 293 be withdrawn from Committee on Penitentiary Affairs and committed to Committee on State Affairs.

The resolution was read and adopted. Morning call concluded.

SENATE BILL NO. 221.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 221, A bill to be entitled "An Act to make it unlawful to sell, barter or exchange spirituous, vinous and malt liquors or medicated bitters in quantities of one gallon or less, in any place in this State, other than a legally licensed saloon. Defining a legally licensed saloon, naming certain places where such sales may not be made; forbidding such acts to be done by indirection. Requiring legally licensed saloons to have signs of certain character, at certain places. Fixing penalties; providing for injunction in certain cases; making act cumulative of existing laws, and declaring an emergency."

The bill was read and Senator Watson moved to rescind the vote by which the bill was previously ordered engrossed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 199, A bill to be entitled "An Act relating to the filing and recording of instruments of writing, heretofore and hereafter recorded, and the effect thereof, and validating defective certificates of acknowledgment."

House bill No. 187, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station for the purpose of experimenting with the culture of farm crops, fruit and vegetables, and studying soil problems, to be located in the Seventy-sixth Representative District, and

making necessary appropriations therefor, and declaring an emergency."

House bill No. 129, A bill to be entitled "An Act to provide for the teaching of cotton classing in the State normal schools, State industrial schools, summer normal schools, teachers' institutes and the public free schools, with certain exemptions, and providing for the method of procuring official types or standards, and the issuance of certificates of proficiency to those entitled to same."

House bill No. 103, A bill to be entitled "An Act to authorize the Governor of the State of Texas to purchase the La Bahia Mission property near Goliad; also to authorize the Governor of the State of Texas to accept land from the owner of what is commonly known as Fannin's battlefield ground in Goliad county; to make an appropriation to pay for and improve said La Bahia Mission property, and to make an appropriation to improve said Fannin battlefield ground."

House bill No. 117, A bill to be entitled "An Act to amend Articles 940, 941, 943, as amended by the Act of April 30, 1901, and 946 of the Revised Statutes, defining the original and appellate jurisdiction of the Supreme Court, and regulating practice therein."

House bill No. 807, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Frio county; to conform the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

House bill No. 575, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Stonewall county, and declaring an emergency."

House bill No. 502, A bill to be entitled "An Act to amend Article 7160, Chapter 2, Title 124, of the Revised Civil Statutes of Texas, which article provides that an unrecorded brand on animals shall not be evidence of ownership thereof, and to limit this rule of evidence to civil cases."

House bill No. 472, A bill to be entitled "An Act to amend Title 9, Chapter 4, Articles 884 and 885, Code of Criminal Procedure, and to provide for the place where judgments of death by electrocution shall take place; and providing for the erection of house or necessary arrangements to be made for execution; providing for transfer of convicts after death penalty has been rendered pending the carrying into effect of said judgment; and providing for the maintenance of said convicts pending the execution of said judgment."

House bill No. 461, A bill to be entitled

"An Act to provide for the creation of farmers county public libraries; prescribing the method to be pursued, and making it the duty of the commissioners court to prescribe rules and regulations for the management thereof."

House bill No. 445, A bill to be entitled "An Act to authorize guardians of estates to make mineral leases, and prescribing the manner in which said mineral leases shall be made, and declaring an emergency."

House bill No. 281, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed, or about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

House bill No. 259, A bill to be entitled "An Act to authorize the sterilization of a certain class of criminals, lunatics and epileptics and syphilitics and persons with a hereditary tendency to congenital diseases of mind or body who are now or hereafter may be confined in any eleemosynary or penal institution of the State of Texas, to the end that procreation by such classes may be prevented; and to provide for the appointment of a board or boards, whose duty it shall be to decide in what cases sterilization is advisable for the benefit of the person and society, and to prescribe regulations and means by which said operation of sterilization may be performed, and to provide for the payment of any expense incurred by any of the provisions of this act, and declaring an emergency."

House bill No. 723, A bill to be entitled "An Act to create a special district court for the counties of Montgomery, Liberty, Chambers, Hardin, San Jacinto and Polk; to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said courts to the other district court in said counties to such change as are made in the jurisdiction of any of said courts by this act, to empower the judge of said special district courts, and the judge of the Ninth Judicial District Courts in said counties to transfer cases from his respective courts to the said courts as herein provided; to provide for the appointment of a judge for said special district courts created under this act shall not have a grand jury; to provide that said judge of said special district courts shall have the right to reconvene the grand jury of the Ninth Judicial

District Courts, and declaring an emergency."

House bill No. 439, A bill to be entitled "An Act to provide for the construction, maintenance and operation of macadamized, graveled or paved roads, and turnpikes, or in aid thereof, by any county, political subdivision of a county, or defined district of a county in the State of Texas, and authorizing the issuance of coupon bonds by such counties, political subdivision of counties and defined districts, to provide funds therefor, validating all existing road districts, repealing conflicting laws, and declaring an emergency."

House bill No. 348, A bill to be entitled "An Act to amend Articles 605 and 606 of Chapter 1, Title 18, of the Revised Civil Statutes of Texas, adopted in 1911, relating to issues of bonds by the commissioners court of a county or by the authority of a town or city, and requiring an election on proposed bond issues; amending same by requiring a submission to the voters of any proposition to incur in any manner any indebtedness in excess of two thousand dollars, and declaring an emergency."

House bill No. 392, A bill to be entitled "An Act to provide for the joint investigation by the State of Texas and the Government of the United States of the water resources of the State of Texas, their utilization for the purpose of irrigation, and the making of appropriation for the expenses of such investigation."

House bill No. 356, A bill to be entitled "An Act to amend Article 204, Title 5, Chapter 3, of the Penal Code of the State of Texas, relating to drunkenness."

House bill No. 619, A bill to be entitled "An Act to amend Article 1003, Chapter 10, Title 22, of the Revised Civil Statutes of 1911, relating to condemnation of property, and providing that incorporated cities and towns may take private property in order to open, change or widen any public street, avenue or alley, or for the construction of water mains, waterworks systems, electric light system, sewer system, or for the purpose of constructing dams for power, or supply reservoirs, or standpipes for waterworks or sewers, or for the purpose of establishing thereon one or more hospitals or pesthouses, within or without the limits of such city or town, or for the purpose of constructing and maintaining sewer pipes, mains and laterals and connections, and also private property upon which to maintain vats, filtration pipes and other pipes, and providing the method of condemning same."

House bill No. 606, A bill to be entitled "An Act to amend Article 7642, of Chapter 13, Title 128, Revised Statutes, 1911, providing for the redemption by the owner of lands or lots heretofore sold or that may hereafter be sold to the State, city or town for taxes, and declaring an emergency."

House bill No. 448, A bill to be entitled "An Act to repeal Article 551, Title 2, Chapter 4, of the Revised Criminal Statutes of Texas, 1911, and to re-number Article 558, and declaring an emergency."

Respectfully,
W. R. LONG,
Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following house bills:

House bill No. 199, referred to Judiciary Committee No. 1.

House bill No. 187, referred to Committee on Agricultural Affairs.

House bill No. 129, referred to Committee on Educational Affairs.

House bill No. 103, referred to Committee on Public Buildings and Grounds.

House bill No. 117, referred to Judiciary Committee No. 1.

House bill No. 807, referred to Committee on Judicial Districts.

House bill No. 281, referred to Committee on Internal Improvements.

House bill No. 259, referred to Committee on Public Health.

House bill No. 723, referred to Committee on Judicial Districts.

House bill No. 619, referred to Committee on Towns and City Corporations.

House bill No. 606, referred to Committee on Public Lands and Land Office.

House bill No. 448, referred to Judiciary Committee No. 2.

House bill No. 575, referred to Committee on Judicial Districts.

House bill No. 502, referred to Committee on Stock and Stock Raising.

House bill No. 472, referred to Judiciary Committee No. 2.

House bill No. 461, referred to Committee on Agricultural Affairs.

House bill No. 445, referred to Judiciary Committee No. 1.

House bill No. 439, referred to Committee on Roads, Bridges and Ferries.

House bill No. 348, referred to Committee on Counties and County Boundaries.

House bill No. 392, referred to Committee on Mining and Irrigation.

House bill No. 356, referred to Judiciary Committee No. 2.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Carter:

Whereas, The Hon. Jas. Young, Representative in the United States Congress from the Third District, is now in the city; therefore, be it

Resolved, That he be invited to address the Senate on such subject as he may see fit.

CARTER.
LATTIMORE.
WARREN.
McNEALUS.

The resolution was read and adopted, and the Chair appointed the signers of the resolution to escort Congressman Young to the President's stand, whereupon he addressed the Senate briefly.

SENATE BILL NO. 4—FREE CONFERENCE COMMITTEE ON.

Senator McNealus made the following motion:

Resolved, That the Senate concur in the House amendments to Senate bill No. 4.

Following are the House amendments:

(1)

Amend by striking out the words in Section 1, "to cities and towns and the inhabitants thereof having population of less than fifteen thousand, as shown by the last Federal decennial census, nor."

(2)

Amend Senate bill No. 4 by striking out the word "two" in line 38, page 2, and insert "three."

(3)

Amend Senate bill No. 4 by striking out all after the word "convicted" in line 5, page 2, Section 1, down to and including the word "water" at the end of line 8, same page and section.

The above House amendments were read, and Senator Collins made the following motion in writing:

As a substitute for the pending mo-

tion, I move that the Senate do not concur in the House amendments to Senate bill No. 4, and that the following be elected on the Free Conference Committee:

McNealus, Lattimore, Astin, Townsend, Murray.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Brelsford:

Resolved that the courtesies of the Senate be tendered to Hon. Hatton W. Sumners of Dallas, and that he be requested to address the Senate.

McNEALUS.

WARREN.

CONNER.

BRELSFORD.

WESTBROOK.

The resolution was read and adopted, and Congressman Sumners addressed the Senate briefly.

EXECUTIVE MESSAGE.

Governor's Office,

Austin, Texas, March 17, 1913.

To the State Senate.

Section 1 of Senate bill No. 6, which was received in the Governor's office March 15, reads as follows:

"Section 1. The Governor, the Attorney General and the Land Commissioner of the State of Texas, be and are hereby authorized to lease to the Cuero Light & Power Company or any other person, firm or corporation, upon such terms and for such consideration as they may prescribe for a period not to exceed fifty years, any or all the water rights belonging to the State of Texas in and to the Guadalupe river in DeWitt county."

In my opinion, this section of the act confers upon the Governor, the Attorney General and the Land Commissioner authority to create a monopoly in the use and control of the waters of the Guadalupe river through DeWitt county, perhaps a distance of thirty to forty miles, and they may give this monopoly to one person or company. The vesting of such power in any board, or to authorize the monopoly of the waters of any stream in this State, in my opinion, is both unconstitutional and contrary to good public policy. The bill should limit the authority of the board created

in Section 1; they should not be given the right to dispose of "all the water belonging to the State of Texas in and to the Guadalupe river in DeWitt county." On the contrary, it should expressly provide that this right could be conferred in so far as the "use" of such waters is concerned, and the building of a dam at a given point across the river, in order that its waters might be utilized for manufacturing purposes.

The bill should specifically state that the board created by Section 1 shall have no power to create a monopoly of the control and use of the waters of the Guadalupe river in DeWitt county, but that their power to authorize the building of a dam across said river for the use of the waters of same shall be limited to one place to be specifically stated for each person or company desiring to build dams across said stream. The waters of the Guadalupe river offer the most inviting opportunity for the establishment of manufacturing industries of any stream in Texas. There is no reason why manufacturing industries of every kind should not be located upon its banks. The construction of a dam at proper intervals across this river down to the point where it becomes navigable I do not think could be objected to, but no law ought to ever be passed which would confer a monopoly of the use of its waters for any purpose or to any person, company or corporation.

I do not want to veto this bill if Section 1 is changed so as to clearly indicate that the Governor, the Attorney General and the Land Commissioner, acting as a board, have no power to create a monopoly, but is authorized only to grant the right to build a dam across the Guadalupe river for manufacturing purposes at designated points. I take the liberty of suggesting to the Senate that the bill ought to be recalled from the Governor's office, with a view of amending it so as to meet the objections herein stated. I would like to approve the measure if its terms clearly show that it is not the intention to empower the board created by Section 1 to confer a monopoly of the use of the Guadalupe river and the waters thereof during their course through DeWitt county.

The conditions under which Texas became a State in the Federal Union provide that she shall have control of her public lands and streams, possibly excepting those which are capable of navigation. I think it clear that the Legislature has the power to authorize the construction of dams across most un-

navigable streams in this State, but believe that any authority to do so should be specifically and clearly stated and defined.

I am communicating these objections this early after the receipt of the bill in order that the Legislature may have ample time to make any change it may deem advisable to meet these objections.

Respectfully submitted,

O. B. COLQUITT,
Governor of Texas.

SENATE CONCURRENT RESOLUTION NO. 14.

(By Unanimous Consent.)

By Senator Murray:

Senate Concurrent Joint Resolution No. 14: Resolved by the Senate, the House of Representatives concurring, that Senate bill No. 6 be recalled from the Governor's office for further consideration, in accord with the message from the Governor.

The resolution was read and adopted.

SENATE BILL NO. 4—FREE CONFERENCE COMMITTEE ON.

(Pending Business.)

Action recurred on Senate bill No. 4, the question being on the substitute motion by Senator Collins that the Senate do not concur in the House amendments and request a Free Conference Committee for the motion by Senator McNealus that the Senate do concur in the House amendments.

Pending discussion Senator Vaughan moved the previous question on both pending motions, which motion being duly seconded, was so ordered.

Action then recurred on the substitute motion by Senator Collins and the same was lost by the following vote:

Yeas—11.

Astin.	Johnson.
Carter.	Lattimore.
Collins.	McGregor.
Conner.	Paulus.
Cowell.	Townsend.
Hudspeth.	

Nays—14.

Bailey.	McNealus.
Brelsford.	Murray.
Darwin.	Real.
Kauffman.	Taylor.

Terrell.
Vaughan.
Warren.

Watson.
Weinert.
Westbrook.

Absent.

Gibson.

Absent—Excused.

Greer.

PAIRED.

Senator Nugent (present), who would vote "yea" with Senator Willacy (absent), who would vote "nay."

Senator Wiley (present), who would vote "yea," with Senator Morrow (absent), who would vote "nay."

Action recurred on the motion by Senator McNealus to concur in the House amendments, and the same was adopted by the following vote:

Yeas—17.

Bailey.	Real.
Brelsford.	Taylor.
Darwin.	Terrell.
Kauffman.	Vaughan.
Lattimore.	Warren.
McGregor.	Watson.
McNealus.	Weinert.
Murray.	Westbrook.
Paulus.	

Nays—8.

Astin.	Cowell.
Carter.	Hudspeth.
Collins.	Johnson.
Conner.	Townsend.

Absent.

Gibson.

Absent—Excused.

Greer.

PAIRED.

Senator Nugent, present, who would vote "nay," with Senator Willacy, absent), who would vote "yea."

Senator Wiley, present, who would vote "nay," with Senator Morrow, absent), who would vote "yea."

Senator McNealus moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

Senator Lattimore moved to rescind the vote by which the vote to reconsider the vote by which the Senate concurred in the House amendments was reconsidered and tabled and spread that motion on the Journal.

Senator McNealus made the point of order that the Senate could not rescind its action because with the adoption of

the House amendments the bill had passed beyond the control of the Senate.

HOUSE BILL NO. 806.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading

House bill No. 806, A bill to be entitled "An Act incorporating the Decatur Independent School District in Wise county, Texas, for free school purposes only, defining its boundaries, providing for a board of trustees, providing for a treasurer for the funds of said district, and providing for an assessor and collector of taxes of said district; divesting the city of Decatur of the control of its public schools and the title to school property and vesting the same in said Decatur Independent School District and its board of trustees, and prescribing the rights, powers, privileges and duties of said Decatur Independent School District and its board of trustees and officers, and declaring an emergency."

On motion of Senator Wiley the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Wiley the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Gibson.	Morrow.
Greer.	

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Gibson.	Morrow.
Greer.	

Senator Wiley moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Vaughan:

Whereas, There is a prospective near approach of the close of the regular session, and

Whereas, It is evident that there will necessarily be a called session, at which the Governor can submit for consideration such subjects as he chooses, and

Whereas, The subjects of the following bills are of general importance and are entitled to first consideration on account of their importance, therefore be it

Resolved, by the Senate, that the following special rule be adopted: The following bills shall have precedence in consideration over all others in the order named, and shall be taken up and considered until they are finally disposed of and may be displaced only by matters entitled to consideration as being especially privileged, to wit:

House bill No. 245, House bill No. 14, Senate bill No. 221, Senate bill No. 199, Senate Joint Resolution No. 13, Senate Joint Resolution No. 5 and Senate Joint Resolution No. 1.

VAUGHAN.
MORROW.

The resolution was read and Senator Hudspeth moved that it be referred to Committee on Rules, and Senator Vaughan amended the motion by in-

structing the committee to report on same this afternoon.

Action recurred on the amendment and the same was adopted by the following vote:

Yeas—14.

Brelsford.	Nugent.
Carter.	Taylor.
Collins.	Townsend.
Darwin.	Vaughan.
Johnson.	Warren.
Lattimore.	Westbrook.
McNealus.	Wiley.

Nays—11.

Astin.	Paulus.
Bailey.	Terrell.
Conner.	Watson.
Cowell.	Weinert.
Hudspeth.	Willacy.
McGregor.	

Absent.

Gibson.	Morrow.
Greer.	Murray.
Kauffman.	Real.

The motion, as amended, was then adopted and the resolution was referred to Committee on Rules.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator McGregor:

Whereas, The Honorable Walter Williams, dean of the department of journalism of the University of the State of Missouri, has accepted an invitation to address this Senate on Wednesday morning, March 19, at 10 o'clock; and

Whereas, Mr. Williams is justly regarded as one of the most versatile, cultured, learned and accomplished writers and speakers of the English language; therefore, be it

Resolved, That the members of the House of Representatives and the citizens of Austin be and are hereby cordially invited to be present in the Senate Chamber on Wednesday morning, March 19, at 10 o'clock to hear the address of the Honorable Walter Williams.

McGREGOR.
COWELL.
JOHNSON.
TAYLOR.

The resolution was read, and Senator Collins offered the following amendment:

Amend by striking out 10 o'clock, and inserting 9:30 o'clock.

The amendment was read and adopted and the resolution, as amended, was adopted.

SIMPLE RESOLUTION.

By Senator Brelsford:

Be it resolved by the Senate that the thanks and cordial appreciation of the body be extended to the city of Fort Worth, the Fort Worth Chamber of Commerce, the Fat Stock Show and Horse Show authorities, as well as the Tarrant county delegation in the Legislature for the hospitalities extended to those members of the Senate who were so fortunate as to be able to accept the invitation to visit the fat stock show and allied attractions last Friday, and the fat stock and breeders' show and horse show are commended as exhibitions of extraordinary merit, and of the highest educational value, and worthy of the support, and patronage of the entire State and, indeed, of the entire Southwest.

BRELSFORD.
KAUFFMAN.
WEINERT.
COWELL.
WATSON.
BAILEY.
GIBSON.
McNEALUS.

The resolution was read and adopted.

SENATE BILL NO. 460.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 460, A bill to be entitled "An Act to create a more efficient road system for Bastrop county, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and was ordered engrossed.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Cowell.
Bailey.	Darwin.
Brelsford.	Hudspeth.
Carter.	Kauffman.
Collins.	Johnson.

Lattimore.	Townsend.
McGregor.	Vaughan.
McNealus.	Warren.
Murray.	Watson.
Nugent.	Weinert.
Paulus.	Westbrook.
Real.	Wiley.
Taylor.	Willacy.
Terrell.	

Absent.

Conner.	Greer.
Gibson.	Morrow.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Nugent.
Bailey.	Paulus.
Brelsford.	Real.
Carter.	Taylor.
Collins.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Murray.	

Absent.

Conner.	Greer.
Gibson.	Morrow.

Senator Watson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 18.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading

Senate bill No. 18, A bill to be entitled "An Act to create a special district court for Grayson county, Texas, to prescribe the jurisdiction, to limit its existence, to fix its terms, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	Darwin.
Bailey.	Hudspeth.
Brelsford.	Johnson.
Carter.	Lattimore.
Collins.	McGregor.
Cowell.	McNealus.

Nugent.	Warren.
Paulus.	Watson.
Real.	Weinert.
Taylor.	Westbrook.
Townsend.	Wiley.
Vaughan.	Willacy.

Absent.

Conner.	Morrow.
Gibson.	Murray.
Greer.	Terrell.
Kauffman.	

Senator Cowell moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

RECESS.

On motion of Senator Westbrook, the Senate, at 12:55 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, Speaker of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for the compensation as such road commissioners; and providing the manner of working of road hands in the matter of the performance of the road work by the payment of the sum of \$3.00; and providing further, making this law cumulative of the General Laws, and in case of conflict this act to govern as to Howard county, Texas, and fixing a penalty for the violation of this act, and repealing all laws in conflict with this act, and declaring an emergency," with amendments.

House bill No. 620, A bill to be entitled

"An Act to amend Sections 5693, 5694 and 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, relating to deeds of trust and vendor's lien notes, providing that powers of sale conferred by deeds of trust and mortgages heretofore or hereafter given shall not be executed after the indebtedness is barred by limitation and that the lien created thereby shall cease to exist; and providing that the superior title reserved in deeds of conveyances and vendor's lien notes heretofore or hereafter given shall not be executed or collected after the notes are barred by limitation and that the liens created thereby shall cease to exist; and providing a time within which suit may be brought to enforce existing deeds of trust and mortgages, and those owning or acquiring superior title reserved in vendor's liens and deeds of conveyance heretofore executed may bring suit and assert their claims; and providing how such liens may be renewed and continued, and providing how said sections shall hereafter read," with engrossed rider.

House bill No. 745, A bill to be entitled "An Act to confer upon the county court of Harrison county the civil jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the civil jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding said court, and to repeal all laws in conflict with this act, and declaring an emergency," with engrossed rider.

House bill No. 123, A bill to be entitled "An Act to authorize the commissioners courts of the several counties of Texas to create and establish irrigation districts, to construct reservoirs, dams, canals, laterals, ditches and other incidental improvements necessary to irrigation systems; to order and hold elections for the purpose of voting on irrigation propositions, and authorizing the issuance of bonds and levy of tax, and to issue bonds in payment for such irrigation improvements and the maintenance thereof, and authorizing irrigation districts to levy assessments for the maintenance thereof, and to assess and collect taxes for the payment of the bonds issued, of interest thereon, and the expenses of assessing and collecting such tax; to appoint irrigation commissioners and other necessary officers, engineers and employes of such district for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such irriga-

tion districts, and authorizing the irrigation commissioners to acquire by purchase, gift, grant or condemnation, for such district, the title to any right of way and other necessary property, and providing for the payment thereof; providing for the construction of reservoirs by such irrigation districts and by two or more of such districts acting together; providing for the acquiring of water rights by such irrigation districts, and providing for the distribution of water by such districts and the sale of water; and, generally, authorizing the county commissioners courts and irrigation commissioners to do all things necessary for the establishing and maintenance of irrigation districts, and the construction and maintenance of all necessary improvements and to levy assessments for the maintenance thereof; fixing a lien and penalty to enforce the collection of assessments; providing that suits contesting the formation of irrigation districts or bonds issued thereby shall be instituted in the name of the State of Texas by the Attorney General; repealing an act of the Twenty-ninth Legislature, being Chapter 50, Acts of 1905, and declaring an emergency," with engrossed rider.

Also, the House recedes from its action in adopting the report of the Free Conference on Senate bill No. 31, and has agreed to the re-committal of the bill to the same Conference Committee.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their caption had been read, the following House bills:

House bill No. 123, referred to Committee on Mining and Irrigation.

House bill No. 745, referred to Committee on Judicial Districts.

House bill No. 620, referred to Judiciary Committee No. 1.

SENATE BILL NO. 4 — HOUSE AMENDMENTS CONCURRED IN.

(Pending Business.)

Action recurred on the pending business, the concurrence in the House amendments to Senate bill No. 4, the question being on the point of order by Senator McNealus on the motion to re-

scind the vote, etc. (See morning proceedings for the point of order.)

Following is the ruling of the Chair:

Senator Lattimore having made a motion to rescind the action by which the Senate reconsidered the vote adopting the House amendments to Senate bill No. 4, and tabled that motion, Senator McNealus made the point of order that the Senate could not rescind its action because with the adoption of the House amendments the bill had passed beyond the control of the Senate. Lieutenant Governor Mayes overruled the point of order, holding that the Senate has the right to rescind its action at any time before a bill becomes a law, even having authority, with concurrence of the House, to recall a bill that has been sent to the Governor and to rescind its action at any time before that bill receives the Governor's signature or becomes a law without such signature.

Senator McNealus called up the motion by Senator Lattimore to rescind the vote by which the motion to reconsider and table the vote on the concurrence in the House amendments, the motion being spread on the Journal, and moved to table the motion to rescind.

The motion to table was lost by the following vote:

Yeas—11.

Darwin.	Vaughan.
McGregor.	Warren.
McNealus.	Watson.
Paulus.	Weinert.
Taylor.	Westbrook.
Terrell.	

Nays—14.

Astin.	Hudspeth.
Bailey.	Johnson.
Brelsford.	Lattimore.
Carter.	Nugent.
Conner.	Real.
Cowell.	Townsend.
Greer.	Willacy.

Absent.

Gibson.	Murray.
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PAIRED.

Senator Collins (present), who would vote "nay," with Senator Kauffman (absent), who would vote "yea."

Senator Wiley (present), who would vote "nay," with Senator Morrow (absent), who would vote "yea."

Action recurred on the motion by Senator Lattimore to rescind the vote by

which vote on the concurrence in the House amendment was reconsidered and tabled, which motion to rescind prevailed by the following vote:

Yeas—17

Astin.	Johnson.
Bailey.	Lattimore.
Brelsford.	Nugent.
Carter.	Paulus.
Conner.	Real.
Cowell.	Townsend.
Darwin.	Wiley.
Greer.	Willacy.
Hudspeth.	

Nays—6.

McNealus.	Watson.
Terrell.	Weinert.
Warren.	Westbrook.

Present—Not Voting.

McGregor.	Taylor.
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Absent.

Gibson.	Murray.
Morrow.	Vaughan.

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

Senator Lattimore moved to reconsider the vote by which the Senate concurred in the House amendments, which motion to reconsider prevailed.

The following motion was then made in writing:

By Senators Willacy, Bailey and Lattimore:

We move that the Senate do not concur in House amendments and that a Free Conference Committee be appointed on the part of the Senate, composed of the following: Senators Warren, Bailey, Greer, Astin, Willacy; and that the Free Conference Committee, upon the part of the Senate, be and are hereby instructed to agree to no change in Senate bill No. 4, except to accept the House amendment to grant the same exemptions to individuals, manufacturing and other plants, located in incorporated cities and towns, that is now granted in said bill to such cities and towns.

The above motion was read and Senator Watson offered the following amendment to the motion:

Amend the motion as follows: Strike out all of the motion after the name "Willacy" as one of the conferees.

The amendment was read and Senator

Hudspeth moved to table the same, which motion to table was adopted by the following vote:

Yeas—13.

Bailey.	Taylor.
Brelsford.	Terrell.
Hudspeth.	Warren.
McNealus.	Weinert.
Murray.	Westbrook.
Paulus.	Willacy.
Real.	

Nays—10.

Astin.	Johnson.
Carter.	Lattimore.
Conner.	Townsend.
Cowell.	Watson.
Greer.	Wiley.

Present—Not Voting.

Nugent.	Vaughan.
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Absent.

Darwin.	McGregor.
Gibson.	Morrow.

PAIRED.

Senator Collins, present, who would vote "nay," with Senator Kauffman, absent, who would vote "yea."

Senator Wiley offered the following amendment to the motion, which was read and adopted:

Amend the motion—I move that the Free Conference Committee be further instructed to give due consideration to the interests of all small cities and towns, and that they be so instructed.

Senator Bailey offered the following amendment to the motion, which was read and adopted:

Amend the resolution by adding thereto the following: "The said Free Conference committee on the part of the Senate is hereby directed to report to the Senate not later than 3 o'clock p. m., Tuesday, March 18, 1913."

The motion to non-concur in the House amendments to Senate bill No. 4 and request a Free Conference Committee was then adopted, as amended.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Collins:

I move that Senators Townsend and Warren be added to the Committee on Rules.

COLLINS.
WESTBROOK.

The resolution was read and adopted.

SENATE BILL NO. 221.

(Pending Business.)

Action recurred on Senate bill No. 221, which was on third reading and was under consideration at the morning session, the question being on the motion by Senator Watson to rescind the vote by which the bill was ordered engrossed.

The motion to rescind prevailed.

Action then recurred on the bill on its second reading.

Senator Lattimore offered the following amendment:

Amend bill, page 2, by striking out the word "misdemeanor" in line 5 and all of the remainder of Section 3 and inserting in lieu thereof the following: "felony, and upon conviction thereof shall be punished by confinement in the penitentiary for some time not less than one year nor more than five years."

Senators McNealus and Terrell offered the following substitute for the amendment and the bill:

Amend the bill by striking out all after the words "Be it enacted by the Legislature of the State of Texas," and insert in lieu thereof the following:

Section 1. That hereafter ten or more citizens of this State may form a corporation for the support of any social club as hereinafter defined.

Sec. 2. By "social club" is meant a company of ten or more persons, each of whom shall be not less than twenty-one years of age, organized to meet for social intercourse and for the promotion of one or more lawful purposes, as literature, science, art and any indoor and outdoor sports not prohibited by law, with the privilege of having club rooms and buildings, and serving, without profit to the club or any member thereof meals, cigars, drinks not capable of producing intoxication; and, in territory where local option is not in force, spirituous, vinous and malt liquors to only bona fide members of the club and non-resident guests, introduced under the rules of the club; such guest not to be less than twenty-one years of age.

Sec. 3. That no club shall ever be incorporated with power to dispense intoxicating liquors in any territory in this State where local option is in force, or be created for the sale of intoxicating liquors only, or for profit, or be operated in connection with any licensed saloon; and no incorporator of any club shall ever be a person whose liquor or malt license has been forfeited, and no club having the authority to dispense intoxicating liquors shall ever purchase

any of its supplies from a retail liquor dealer.

Sec. 4. That before the Secretary of State shall grant a charter to any social club with power to sell intoxicating liquors to its members, he shall require each incorporator to make affidavit and file it in his office to the effect that such club shall not be located in any local option territory; that said club is not created for profit, or to be operated in connection with any saloon, and that no incorporator of the proposed club is interested in any saloon, brewery or wholesale liquor house, or is a person who has had a liquor or malt license forfeited.

Sec. 5. That no person other than the charter members thereof shall hereafter be elected to membership in any club having the authority to dispense intoxicating liquors, except in the following manner: Such applicant for membership shall make his application in writing, accompanying it with an initiation fee of not less than ten dollars, and must be recommended by at least two members in good standing of such club, and the application shall be posted for not less than thirty days in the room or rooms of such club before the election of such applicant. Said applicant shall be elected to membership according to the by-laws, rules and regulations of such club, but until so elected he shall not be entitled to any of the privileges of same, and no person under the age of twenty-one years shall become a member of such club, the age of the applicant to be shown by an affidavit made by such applicant before a public officer authorized to administer oaths.

Sec. 6. That the charters of all bona fide social clubs, under the provisions of this act, are hereby declared valid and such clubs shall not be required to reincorporate and secure new charters; provided, that the president and secretary of each club shall file with the Secretary of State, within sixty days from the time this act becomes effective, an affidavit that such club is not being operated for profit or in connection with any licensed saloon; that no stockholder or officer of said club is a person who has ever had a liquor or malt license forfeited, and if the club dispenses intoxicating liquors to its members the affidavit shall also show that such club is not located in any territory where local option is in force, or outside the district prescribed by saloon limits, if in an incorporated city having such limits.

Sec. 7. That all laws and parts of laws not in conflict herewith are declared to be cumulative of this act.

Sec. 8. No social club authorized under the provisions of this act shall be permitted to sell or dispense any beverages of any character over its bars during the hours such sales are prohibited in licensed saloons.

Sec. 9. The fact that there is now no law authorizing the incorporation of social clubs creates an imperative public necessity and an emergency demanding that the constitutional rule requiring bills to be read on three several days be suspended and that this act become a law and be in force from and after its passage, and it is so enacted.

Senator Willacy offered the following amendments to the substitute, severally, which were read and adopted:

(1)

Amend the substitute by striking out the word "ten" in lines 12 and 15, page 1, and insert the word "fifty" in lieu thereof.

(2)

Amend the substitute by inserting after the word "affidavit" in line 1, page 3, the following, "subject to investigation and approval by the Secretary of State."

(3)

Amend the substitute by inserting after the word "operated" in line 2, page 3, the following, "or to be operated."

Senator Lattimore moved to table the substitute, as amended, which motion to table was adopted by the following vote:

Yeas—13.

Brelsford.
Carter.
Conner.
Cowell.
Darwin.
Greer.
Johnson.

Lattimore.
Nugent.
Taylor.
Townsend.
Westbrook.
Wiley.

Nays—10.

Astin.
Bailey.
Hudspeth.
McNealus.
Paulus.

Real.
Terrell.
Watson.
Weinert.
Willacy.

Absent.

Gibson.

Morrow.

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Murray (absent), who would vote "nay."

Senator McGregor (present), who would vote "nay," with Senator Vaughan (absent), who would vote "yea."

Senator Warren (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

The amendment by Senator Lattimore was adopted by the following vote:

Yeas—13.

Carter.	Nugent.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Nays—9.

Astin.	Real.
Bailey.	Watson.
McGregor.	Weinert.
McNealus.	Willacy.
Paulus.	
Absent.	
Gibson.	Vaughan.
Morrow.	

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Murray (absent), who would vote "nay."

Senator Hudspeth (present), who would vote "nay," with Senator Brelsford (absent), who would vote "yea."

Senator Warren (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

Senator Hudspeth offered the following amendment:

Amend the bill by adding after the word "court," at the end of line 24, page 3, by striking out the comma at the end of said line and inserting a semicolon, and insert the following: "Provided, that the provisions of this act shall not apply to any fraternal or social club in this State having a charter under the laws of this State, that dispenses liquors to its bona fide members only, and drunk on the premises, and when said club has taken out a license required of retail liquor dealers or retail malt dealers in this State, and which is located in a city or precinct where spirituous, vinous or malt liquors are permitted to be sold under the laws of this State."

The amendment was read and lost by the following vote:

Yeas—8.

Astin.	Terrell.
Bailey.	Watson.
Nugent.	Weinert.
Real.	Willacy.

Nays—11.

Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Townsend.
Greer.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Absent.

Gibson.	Morrow.
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PAIRED.

Senator Collins (present), who would vote "nay," with Senator Murray (absent), who would vote "yea."

Senator Carter (present), who would vote "nay," with Senator McNealus (absent), who would vote "yea."

Senator McGregor (present), who would vote "yea," with Senator Vaughan (absent), who would vote "nay."

Senator Warren (present), who would vote "nay," with Senator Kauffman (absent), who would vote "yea."

Senator Hudspeth (present), who would vote "yea," with Senator Brelsford (absent), who would vote "nay."

REASONS FOR VOTES.

I vote "nay," because I am opposed to licensing the sale of intoxicating liquors, to be used as a beverage, under any circumstances whatever.

TAYLOR.

I vote "nay" for the reason only that same if enacted into law would permit many people otherwise not qualified, to take out license as retail liquor dealers, and create an open gate for evasion of our now rigid and proper requirements with reference to the moral character and other qualifications of persons licensed to sell intoxicating liquors.

NUGENT.

Senator Astin offered the following amendment:

Amend the bill by adding at the end of the penalty provision, the following: "or by death."

Senator Lattimore moved the previous

question on the amendment and the bill, which motion being duly seconded was so ordered.

The amendment was lost.

The bill was read second time and was ordered engrossed by the following vote:

Yeas—13.

Carter.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Nays—10.

Astin.	Real.
Bailey.	Terrell.
McGregor.	Watson.
McNealus.	Weinert.
Paulus.	Willacy.

Absent.

Gibson. Morrow.

PAIRED.

Senator Warren (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Murray (absent), who would vote "nay."

Senator Hudspeth (present), who would vote "nay," with Senator Brelsford (absent), who would vote "yea."

Senator Lattimore moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—13.

Carter.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Nays—11.

Astin.	Real.
Bailey.	Terrell.
Hudspeth.	Watson.
McGregor.	Weinert.
McNealus.	Willacy.
Paulus.	

Absent.

Brelsford. Morrow.
Gibson.

PAIRED.

Senator Warren (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

Senator Collins (present), who would vote "yea," with Senator Murray (absent), who would vote "nay."

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants request for Free Conference Committee on Senate bill No. 4 and the following members on the part of the House have been appointed: Wortham, McKamy, Ritchie, Mills, Henry of Wichita.

The following members on the part of the House as Free Conference Committee on Senate bill No. 393: Mills, Burns, Butler, Simpson and Dunn.

Respectfully,

W. R. LONG.

Chief Clerk House of Representatives.

HOUSE BILL NO. 794.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading

House bill No. 794, A bill to be entitled "An Act creating the Lockhart Independent School District in Caldwell county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of Lockhart of the control of its public free schools and the title of all property now held and used for public free school purposes, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the General Laws to provide for assessment and collection of taxes granting power to issue coupon bonds and providing sinking fund, and declaring an emergency," with engrossed rider.

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Weinert, the constitutional rule requiring bills to be

read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	Nugent.
Bailey.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

The bill was read third time and was passed by the following vote:

Yeas—26.

Astin.	Nugent.
Bailey.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 442.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 442, A bill to be entitled "An Act to authorize Hemphill county, Texas, to lay out, construct and maintain roads and bridges and exempting

said county from the limitation contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—26.

Astin.	Nugent.
Bailey.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 314.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 314, A bill to be entitled "An Act to prohibit any retail dealer in spirituous, vinous or malt liquors or medicated bitters from locating or operating his place of business, and from selling any spirituous, vinous or malt liquors or any medicated bitters within two miles of any local option line or boundary of any territory in which local option is in force unless the same shall be within the corporate limits of an incorporated city or town; providing a penalty therefor, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—19.

Brelsford.	Greer.
Carter.	Johnson.
Collins.	Lattimore.
Conner.	McNealus.
Cowell.	Nugent.
Darwin.	Taylor.

Terrell.	Westbrook.
Townsend.	Wiley.
Vaughan.	Willacy.
Warren.	

Nays—8.

Astin.	Paulus.
Bailey.	Real.
Hudspeth.	Watson.
McGregor.	Weinert.

Absent.

Gibson.	Morrow.
Kauffman.	Murray.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 319.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

House bill No. 319, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Hearne & Brazos Valley Railroad Company, with the franchises and other property thereunto appertaining, and to authorize the Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railroad franchises and appurtenances so purchased as fixed, or as the same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of the operations of such properties."

The bill was read third time and was passed by the following vote:

Yeas—24.

Astin.	McNealus.
Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Lattimore.	Weinert.
McGregor.	Willacy.

Nays—2.

Westbrook.	Wiley.
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65—S

Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

Senator Astin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 215.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

House bill No. 215, A bill to be entitled "An Act granting unto the municipal authorities of the city of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth street, on the south by Fourth street, on the east by Guadalupe street and on the west by San Antonio street, in the city of Austin; and changing the designation upon the map of the city of Austin of said tract from Public Square to Public Municipal Auditorium."

The bill was read third time and was passed.

Senator McGregor moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 144.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

House bill No. 144, A bill to be entitled "An Act to amend Title 85, Revised Civil Statutes of Texas, 1911, relating to the Library and Historical Commission, by amending Article 5601 and by adding Articles 5607b, 5607c and 5609b."

The bill was read third time and was passed.

SENATE BILL NO. 436.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 436, A bill to be entitled "An Act to authorize the El Paso and Southwestern Railroad Company of Texas, to lease, purchase, acquire and

operate the line of railroad, and to acquire and cancel the capital stock of the El Paso and Northwestern Railroad Company, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	Nugent.
Bailey.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	McNealus.
Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Lattimore.	Weinert.
McGregor.	Willacy.

Nays—2.

Westbrook.	Wiley.
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Absent.

Brelsford.	Morrow.
Gibson.	Murray.
Kauffman.	

Senator Hudspeth moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 246.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 246, A bill to be entitled "An Act to define, regulate and control fraternal beneficiary societies; defining lodge system and representative form of government; providing for the issuance of certificates and the investment and distribution of funds; limiting membership and beneficiaries in said societies; naming the duties and authority of the Commissioner of Insurance and Banking; fixing an annual license and way to cancel same; providing for the valuation of policies and how to ascertain the solvency of said societies; regulating foreign and certain domestic societies; providing that beneficiary associations heretofore organized, shall be subject to the provisions of this law; repealing Chapter 36, Acts of the First Called Session of the Thirty-first Legislature, and Chapter 22, Acts of the Second Called Session of the Thirty-first Legislature, and Chapter 92, Acts of the Regular Session of the Thirty-second Legislature, and all other laws in conflict therewith, and declaring an emergency."

ADJOURNMENT.

On motion of Senator Townsend the Senate, at 6:35 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

BILLS AND RESOLUTIONS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

House Concurrent Resolution No. 21, Requesting the Governor to return House bill No. 583 for correction.

Senate bill No. 383, "An Act to amend Chapter 34 of the Special Laws of the Regular Session of the Thirty-second Legislature, being 'An Act to amend Chapter 80, Special Laws passed by the Regular Session of the Thirtieth Legislature of the State of Texas,' approved April 15, 1907, and declaring an emergency."

Senate bill No. 298, "An Act authorizing cities situated along or on navigable streams, and acting under special charters, to extend by ordinance their boundaries so as to include in said cities the

navigable stream and the land lying on both sides thereof for a distance of twenty-five hundred feet from the thread of the stream to a distance of twenty miles or less in an air line from the ordinary boundaries of said city either above or below the boundaries of said city or both; and granting to said cities within said added territory the right to purchase or condemn property for navigation or wharfage or for aids or facilities to either; and granting to said city within said territory full power of regulation and control over navigation and wharfage, and over all facilities and aids to either; and full power to pass and enforce ordinances for the police of navigation and wharfage, and of all aids and facilities to either, and declaring an emergency."

Senate bill No. 376, "An Act amending Section 3 of the Special Road Law for Montgomery county, Texas, and declaring an emergency."

Senate bill No. 333, "An Act to authorize Nueces county to build and construct, own, lease and maintain a causeway, or combination roadway and bridge, from the mainland on the south shore of Nueces or Corpus Christi Bays to the north shore of said bays, or either of them, to connect the roadways of Nueces county, with the roadways of San Patricio county, and for the said Nueces county to issue bonds of said county for same and to levy and collect a special tax of fifteen cents authorized by Article 8, Section 9 of the Constitution, on the one hundred dollars valuation of the taxable property in said county; providing for condemnation proceedings and for the right of way; authorizing said Nueces county to lease right of easement of user of a portion of said road and bridge on terms to be prescribed by the commissioners court of said county; authorizing, by vote, the levy of a tax and the issuance by said county of coupon bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads; adopting certain provisions of the general law, and declaring an emergency."

Senate bill No. 408, "An Act to create a board of regents for the John Tarleton College of Stephenville, Erath county, Texas; to provide for the appointment of said board; to define its duties and powers; to divest the control and management, legal title and ownership of said institution out of the Governor of the State of Texas, the Superintendent of Public Instruction of the State of Texas and the county judge of Erath county,

Texas, to vest said control in said board, and declaring an emergency."

Senate bill No. 353, "An Act to fix the time for holding the terms of the district courts in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

Senate bill No. 45, "An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency."

Senate bill No. 396, "An Act to incorporate the Wills Point Independent School District in Van Zandt county, Texas, for free school purposes only, and declaring an emergency."

Senate bill No. 399, "An Act to repeal Chapter 9, Section 7, of an act entitled 'An Act to amend Section 7, Chapter 55, page 909, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907,' and place the Lubbock Independent School District under the general laws relating to incorporated school districts, with all the powers given under such general laws, and repealing all laws in conflict herewith, and declaring an emergency."

Senate bill No. 339, "An Act to create a more efficient road system for Tom Green county, Texas, and declaring an emergency."

Senate bill No. 341, "An Act to create a more efficient road system for Wichita county, in the State of Texas, and declaring an emergency."

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House bill No. 65, have had the same under consideration, and we beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed, but that same be printed in the Senate Journal of March 17, 1913.

Paulus, Chairman: Johnson, Cowell, Astin, Real, Wiley, Weinert, Darwin.

Following is the bill in full:

House bill No. 65, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school to be located in the city of Waco, in McLennan county, or within one-half mile of the corporation limits of said city, and to be known and designated as the Waco State Normal School.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there shall be established at Waco, McLennan county, Texas, a State normal school to be known as the Waco State Normal School, provided that the said city of Waco and citizens thereof shall, without charge or cost to the State, and within one year after this act takes effect, convey or cause to be conveyed, unto the State of Texas, a good and perfect title to sufficient land upon which to erect buildings sufficient to accommodate at least five hundred (500) pupils, and shall, within two years after this act takes effect, erect said buildings in a good and substantial manner, and shall, within six months after the completion of said buildings, equip said buildings with such apparatus as are necessary in the conduct of a first-class normal school, the value of all of which is to be not less than one hundred thousand (\$100,000.00) dollars; provided, the improvements and lands shall be satisfactory to the State Board of Education.

Sec. 2. It is hereby made the duty of the Attorney General to pass upon the title to said lands.

Sec. 3. The State Board of Education shall name the departments to be established in said Waco State Normal School, and shall elect the president, officers, instructors and other employees necessary for the organization and management of the same, and shall fix the salaries and compensation for those employed; provided, that said Waco State Normal School shall be strictly first class in every particular, and not below the standards set for the other normal schools of this State; provided, further, that the State Board of Education shall have authority to regulate the fees required of students and the salaries allowed all persons in any manner employed in connection with the normal school provided for in this act.

Sec. 4. The State Board of Education shall name the fees, if any are to be paid by students, and shall fix the requirements for entrance into said normal

college, and shall prescribe the conditions of certification and graduation of students of said normal college; provided, that the requirements to obtain certificates, the length of time they shall be valid, and the conditions of cancellation of same shall be those prescribed for other certificates of the same grade issued by the State.

Sec. 5. It shall be the duty of the State Board of Education to elect a president of said normal school six months before the date fixed for the opening of said normal college; and he shall draw his salary for three months prior to the opening of said school, provided he has accepted such position for that length of time and has entered upon the duties thereof.

Sec. 6. Students shall be appointed to said Waco State Normal School by the same authorities and in the same way that students are appointed to other normal schools in this State, and such students shall share equally with students appointed to other normal schools in any scholarship funds that may be appropriated to the normal schools of this State, after the same shall be opened.

Sec. 7. On or before six months before the opening of said school, the State Board of Education shall, after consultation with the president of said Waco State Normal School, meet and decide what departments shall be established in said normal school. They shall elect professors, instructors and other employees and fix the compensation for same. They shall fix the day for opening said normal school not later than six months after the same shall have been received and shall make all necessary arrangements for opening and managing said Waco State Normal School.

Sec. 8. The fact that the number of normal schools is inadequate to accommodate the vast number of young men and young women who are preparing for the profession of teaching, and that the establishment of more normal schools is a necessity, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that the same is suspended, and that this act take effect from and after its passage, and it is so enacted.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

House bill No. 662, A bill to be entitled "An Act to create a more efficient road commission for Knox county, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 800, A bill to be entitled "An Act to create a more efficient road law for Jackson county, fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing allowance for team hire for members of said court; providing for a road tax; fixing the fees of county clerk and justices of the peace in convict cases; and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 647, A bill to be entitled "An Act to establish a separate system of public roads and bridges for Tarrant county, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

House bill No. 627, A bill to be entitled "An Act to permit the people of Leon county to levy a tax in any political subdivision or defined districts for the purpose of improving their roads, instead of issuing bonds for such purposes; if the people of such political subdivision or defined district so desire; and permitting the political subdivisions or defined districts which have already issued bonds and built their roads to levy a sufficient tax to maintain their roads, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 695, A bill to be entitled "An Act to authorize and empower Navarro county, or any political subdivision or defined district, now or hereafter to be described and defined, of said county, by a vote of a two-thirds majority of the resident property taxpayers qualified voters of said county or political subdivision thereof, or defined district now or hereafter to be described and defined voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision or defined district, and to levy and collect taxes to pay the interest on such bonds, and provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating of macadamized, graveled or paved roads and turnpikes, or in aid thereof, and authorizing the commissioners court of said county to describe and define road districts therein, validating road district No. 1 of said county, heretofore described and defined by said court, and prescribing ways and means of conducting and supervising said work and providing a penalty for the violation of the provisions thereof, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recom-

mentation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 766, A bill to be entitled "An Act to incorporate the McGregor Independent School District, in McLennan county, for free school purposes only; describing its boundaries, divesting the city of McGregor of the control of its public schools and title to school property, and vesting the same in the said McGregor Independent School District and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, powers, privileges and duties of the said McGregor Independent School District and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with their recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 566, A bill to be entitled "An Act to amend Section 11, of an act entitled 'An Act to create a more efficient road system for Hunt county, in the State of Texas, and making county commissioners ex-officio road commissioners, and,' passed by the Twenty-eighth Legislature, increasing salary of commissioners, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 771, A bill to be entitled "An Act to amend Section 9, Chapter LXXII, laws of 1901, entitled 'An Act to create a more efficient road system for Karnes county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county by providing for commutation of time for good behavior and good service, and providing for a reward to be offered for the recapture of an escaped convict, and taxing said reward and all actual costs of capture and delivery of said convicts against said convict; and providing for a penalty for the escape of a county convict, and providing the amount of compensation in road time to be allowed by overseers to road hands; for teams, plows, scrapers and wagons; and providing for the condemnation of lands for public services; and providing the character of work that road commissioners may require of overseers and hands; and providing, further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Karnes county, Texas,' and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 731, A bill to be entitled "An Act to amend Section 19, of Chapter 1, Special Laws of Texas, as passed by the Twenty-ninth Legislature, as amended by an act of the Thirty-first Legislature, approved March 16, 1909, and being entitled 'An Act to create a more efficient road system for Archer county, Texas, and making county commissioners of said county ex-officio road

commissioners, and prescribing their duties as such, and providing for the compensation as such road commissioners; and providing for the working of convicts upon the roads of said county, and providing a penalty for the escape of convicts; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams and work, and providing for the condemnation of lands for public road purposes; and providing for the working of delinquent poll taxpayers on the public roads; and relieving road hands from the performance of road work by the payment of the sum of \$3.00; and providing the levy and collection of a specific road tax of 15 cents on the \$100.00 valuation of property in Archer county; and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Archer county, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 474, A bill to be entitled "An Act to restore and confer upon the county court of Zapata county the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Carter, Bailey, Brelsford, Collins, Taylor.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 462, A bill to be entitled

"An Act to amend Sections 4 and 5 of Article 4 of Chapter 33, Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith,' so as to provide for the issuance of bonds not to run for a period longer than forty years and not to exceed 10 per cent of the assessed value of all taxable property, real, personal and mixed in the city of Denison, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Carter, Chairman; McNealus, Real, Terrell, Lattimore, Cowell, Bailey, Collins, Hudspeth.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 806, A bill to be entitled "An Act incorporating the Decatur Independent School District in Wise county, Texas, for free school purposes only, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Darwin, Real, Wiley.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 749, A bill to be entitled "An Act to create a more efficient road system for Van Zandt county, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such and providing for their compensation as such road commissioners, etc.,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; McNealus, Westbrook, Taylor.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 590, A bill to be entitled "An Act to amend Chapter 18, of the Special Laws of the State of Texas passed at the Regular and First Call Session of the Twenty-ninth Legislature, and amended by the Act of the Thirty-first Legislature entitled 'An Act creating a more efficient road law for Comanche county; providing that the county commissioners shall be ex-officio road commissioners in their precincts, defining their duties and regulations, their compensation, and providing road overseers and hands shall work under the directions of road commissioners, and providing penalties for failure to do so; providing for working county convicts on the public roads; providing for working all delinquent taxpayers on public roads; and declaring an emergency,' by amending Section 11, of said act; and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 689, A bill to be entitled "An Act to create a more efficient road system for Cameron county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts on the public roads of said county and providing for officers' fees and rewards and penalties for said convicts and rewards for the capture of escaped convicts, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same

back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Weinert, Townsend.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 745, A bill to be entitled "An Act to confer upon the county court of Harrison county the civil jurisdiction belonging to said court under the Constitution and General Statutes of Texas, to define the civil jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding said court, and to repeal all laws in conflict with this act, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Carter, Nugent, Bailey, Brelsford, Taylor, Greer.

Committee Room,

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 405, A bill to be entitled "An Act to amend Article 2425, of Title 44, Chapter 1 of the Revised Civil Statutes of 1911, adopted by the Thirty-second Legislature, providing that irrigation, public road, drainage and levee bonds issued under the provisions of law may be deposited with State depositories on equal dignity with United States, State, county, independent school districts and municipal bonds as now provided in said Title 44, Chapter 1; repealing all laws in conflict herewith, and declaring an emergency."

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 18, A bill to be entitled "An Act to create a special district court

for Grayson county, to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said court and the other district courts in said county to such changes as are made in the jurisdiction of any of said courts by this bill, to empower the judge of said special district court and the judges of the Fifteenth and Fifty-ninth Judicial Districts in Grayson county to transfer cases from their respective court to the other of said courts, to provide for the appointment of a judge for said special district court, to fix his salary and term of office, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 442, A bill to be entitled "An Act to authorize Hemphill county, Texas, to lay out, construct and maintain roads and bridges and exempting said county from the limitation contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 22, A bill to be entitled "An Act amending Chapter 104 of the General Laws passed by the Thirty-second Legislature at its Regular Session, by adding at the end of Section 2, Sections 2a and 2b; prescribing additional duties for the State Inspector of Masonry, Public Buildings and Works, and providing for the appointment of assistants by him, defining their duties and fixing their compensation and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 128, A bill to be entitled "An Act to provide for prospecting and developing minerals on land owned by the State of Texas, or by the public free school fund, the University, asylum and other funds, and upon such land as the State has heretofore sold or may hereafter sell with reservation of the minerals therein; to provide for the disposal of the minerals and the leasing of the mineral rights in such land and prescribing the royalties and compensation to be paid to the State therefor; providing penalties for violations of this act; prescribing the terms upon which and the method by which access to mineral deposits may be acquired by condemnation or otherwise; repealing Chapter 1 of Title 93 of the Revised Civil Statutes, adopted in 1911, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 6, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 298, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room.

Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 376, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 396, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 333, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 408, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 353, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 45, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 399, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 339, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 383, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 341, and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred House bill No. 44, A bill to be entitled "An Act to amend Article 4632 of the Revised Civil Statutes of Texas, 1911."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

WATSON.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred House bill No. 44, A bill to be entitled "An Act to amend Article 4832 of the Revised Civil Statutes of Texas, 1911."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

CARTER, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 445, A bill to be entitled "An Act to authorize guardians of estates to make mineral leases, and prescribing the manner in which said mineral leases shall be made, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CARTER, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

House bill No. 408, A bill to be entitled "An Act defining and enlarging the powers of corporations organized under Chapter CXVII of the General Laws of the Twenty-sixth Legislature of the State of Texas, approved May 15, 1899, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLLINS, Chairman.

PETITIONS AND MEMORIALS.

By Senator Townsend:

Petition signed numerously by citi-

zens of Huntington, Texas, asking that the Legislature submit the question of amending the Constitution so that idle lands may be taxed on a basis equivalent to their full rental value, provisions for same being incorporated in the bill introduced by Senator Paulus.

FORTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 18, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent.

Hudspeth.	Wiley.
Morrow.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson.

(See Appendix for petitions and memorials and standing committee reports.)

EXCUSED.

On account of important business:
Senator Hudspeth, for today, on motion of Senator Willacy.

Senator Gibson, for non-attendance on yesterday, on motion of Senator Darwin.

On account of sickness:
Senator Wiley, indefinitely, on motion of Senator Carter.

Senator Morrow, for non-attendance on yesterday, and for today and tomorrow, on motion of Senator Carter.